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1962/10/25



DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
WASHINGTON 25, D.C.

October 25, 1962

MEMORANDUM FOR MR. ADAM YAKOBY

SUBJECT: Executive Order on Prohibitions on Vessels
Engaged in Trade with Cuba

Pursuant to your request I have examined the draft Executive Order on this subject and find that it could be tightened in the following ways:

1. Section 1 closes US ports to vessels of countries carrying arms to Cuba. Its scope could be broadened to closing ports to vessels of any country whose ships carry cargo of any type from Cuba or destined for Cuba. If this change is made Section 2 is unnecessary.
2. Section 2 closes US ports to vessels carrying items of any type between the Sino-Soviet bloc and Cuba unless it has made an intervening call outside the Western Hemisphere. It could be tightened by (a) broadening its coverage to all cargo shipped from Cuba or destined for Cuba (rather than just between Cuba and the Sino-Soviet bloc), and (b) by permanently black-listing a vessel carrying such cargo.
3. Section 3 (which applies to US flag and US controlled vessels) cannot reasonably be tightened further.
4. Section 4 prohibits US Government sponsored shipments on vessels owned or controlled by persons with vessels carrying goods between the Soviet bloc and Cuba. This section could be tightened by broadening its coverage: (a) To include all shipments to or from Cuba (as opposed to just between Cuba and the Sino-Soviet bloc); (b) to include prohibiting such shipments on vessels of any country under which a black-listed vessel is registered; (c) to prohibit any person subject to the jurisdiction of the United States from making shipments on such vessels.

SIGNED

Howard E. Hensleigh
Office of the Assistant General Counsel
International Affairs

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Doc#12

The Cuban Missile Crisis Revisited: An International Collection of Documents, from the Bay of Pigs to the Brink of Nuclear War

Published by: ProQuest Information and Learning, 300 North Zeeb Rd., PO Box 1346, Ann Arbor, MI 48106, USA

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Technical Data:

Date of Publication of Microfiche Edition: 2006

Format: 49 double frame, 105mm x 148mm microfiche

24 x nominal reduction

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